

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DUNKIN' DONUTS FRANCHISED
RESTAURANTS LLC, *et al.*,

Plaintiffs,

v.

CHELSEA DB ASSOCIATES, INC., *et al.*,

Defendants.


**NOTICE OF MOTION AND
MOTION TO ADMIT COUNSEL
PRO HAC VICE**

C.A. No. 1:07-cv-07218-RJH

PLEASE TAKE NOTICE that upon the annexed affidavits of Ronald D. Degen and Robert L. Zisk in support of this motion and the Certificate of Good Standing annexed thereto we will move this Court at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of Robert L. Zisk, a principal with the firm of Gray, Plant, Mooty, Mooty & Bennett, P.A., and a member in good standing of the Bar of the District of Columbia Court of Appeals, as attorney pro hac vice to argue or try this case in whole or in part as counsel on behalf of Plaintiffs. There are no pending disciplinary proceedings against Robert L. Zisk in any State or Federal court.

Dated: February 11, 2008

Respectfully submitted,


Ronald D. Degen (RD 7808)

Scott Goldfinger (SC 9219)
O'ROURKE & DEGEN, PLLC
225 Broadway, Suite 715
New York, NY 10007
Telephone: (212) 227-4530
Facsimile: (212) 385-9813
rdegen@odlegal.com
sgoldfinger@odlegal.com

Attorneys for Plaintiffs

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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| -----X | |
| DUNKIN' DONUTS FRANCHISED | : |
| RESTAURANTS LLC, <i>et al.</i> , | : |
| | : |
| Plaintiffs, | : |
| | : |
| v. | : |
| | : |
| CHELSEA DB ASSOCIATES, INC., <i>et al.</i> , | : |
| | : |
| Defendants. | : |
| -----X | |

**CERTIFICATION OF RONALD
D. DEGEN IN SUPPORT OF
MOTION TO ADMIT COUNSEL
PRO HAC VICE**

C.A. No. 1:07-cv-07218-RJH

RONALD D. DEGEN, hereby certifies the following:

1. I am a member of the firm of O'Rourke & Degen, PLLC, attorneys for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts herein and in support of Plaintiffs' motion to admit Robert L. Zisk as counsel pro hac vice to represent Plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law at the October 1970 Term of the Second Judicial Department. I also was admitted to the bar of the United States District Court for the Southern District of New York on April 20, 1972, and I am in good standing with this Court.

3. I have known Robert L. Zisk for more than ten years.

4. Mr. Zisk is a principal of the law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A.


5. I have found Mr. Zisk to be a skilled attorney and a person of integrity. He is experienced in Federal practice and with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of Robert L. Zisk, pro hac vice.

7. I respectfully submit herewith a proposed order granting the admission of Robert L. Zisk, pro hac vice.

WHEREFORE, it is respectfully requested that the motion to admit Robert L. Zisk, pro hac vice, to represent Plaintiffs in the above captioned matter be granted.

Dated: February 11, 2008



Ronald D. Degen (RD 7808)

Subscribed and sworn to before me
this 11th day of February 2008.



IRIS PESKIN
Notary Public, State of New York
No. 01PE6151942
Qualified in Nassau County
Commission Expires August 28, 2010

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DUNKIN' DONUTS FRANCHISED
RESTAURANTS LLC, *et al.*,

Plaintiffs,

v.

CHELSEA DB ASSOCIATES, INC., *et al.*,

Defendants.
-----X

**CERTIFICATION OF ROBERT
L. ZISK IN SUPPORT OF
MOTION TO ADMIT COUNSEL
PRO HAC VICE**

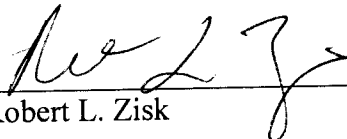
C.A. No. 1:07-cv-07218-RJH

ROBERT L. ZISK, hereby certifies the following:

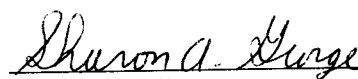
1. I submit this certification in support of my motion for admission to practice pro hac vice in the above-captioned matter. I am a resident of the State of South Carolina, and a principal with the law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A., 2600 Virginia Avenue, NW – Suite 1111, Washington, D.C. 20037.
2. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the District of Columbia Court of Appeals.
3. I have never been held in contempt of court.
4. There are no pending disciplinary proceedings against me in any State or Federal Court.
5. I have read and I am familiar with the provisions of the Judicial Code (Title 28, U.S.C.), the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, and the New York Lawyer's Code of Professional Responsibility.
6. I will faithfully adhere to all rules applicable to my conduct in connection with any activities in this Court.

WHEREFORE, it is respectfully requested that this Court allow petitioner to appear as counsel and advocate pro hac vice in this one case.

Dated: February 8, 2008


Robert L. Zisk

Subscribed and sworn to before me
this 8th day of February, 2008.


Notary Public
My Commission Expires:

**SHARON A. GEORGE
NOTARY PUBLIC DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES FEBRUARY 29, 2012**



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ROBERT L. ZISK

was on the 19th day of December, 1983

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on January 31, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that on February 11, 2008 I served a copy of the Motion for Admission *Pro Hac Vice* for Robert L. Zisk, supporting papers and proposed order by first class mail in a post paid wrapper addressed to each of the following:

Dated: February 11, 2008



RONALD D. DEGEN (RD 7808)

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DUNKIN' DONUTS FRANCHISED :
RESTAURANTS LLC, *et al.*, :
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Plaintiffs, :
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v. :
:
:
CHELSEA DB ASSOCIATES, INC., *et al.*, :
:
:
Defendants. :
-----X

**ORDER FOR ADMISSION TO
PRACTICE PRO HAC VICE**

C.A. No. 1:07-cv-07218-RJH

The motion for admission to practice pro hac vice in the above captioned matter is granted.

IT IS HEREBY ORDERED that:

Robert L. Zisk
Gray, Plant, Mooty, Mooty & Bennett, P.A.
2600 Virginia Avenue, NW – Suite 1111
Washington, D.C. 20037
robert.zisk@gpmlaw.com

is admitted to practice pro hac vice and permitted to argue or try this particular case in whole or in part as counsel on behalf of Plaintiffs.

An attorney admitted to practice pro hac vice is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee within 10 business days.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated: _____, 2008
